

HOUSE FLOOR SUBSTITUTE FOR
HOUSE JOINT MEMORIAL 23

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

A JOINT MEMORIAL

REQUESTING THE UNITED STATES CONGRESS, THE INDIAN HEALTH SERVICE AND, SPECIFICALLY, THE NEW MEXICO CONGRESSIONAL DELEGATION TO RESOLVE THE FUNDING SITUATION INVOLVING THE ALBUQUERQUE AREA URBAN INDIANS, THE ALBUQUERQUE INDIAN HOSPITAL AND ALL SERVICES RENDERED BY THE INDIAN HEALTH SERVICE TO URBAN NATIVE AMERICANS AND TO INCORPORATE NEW LANGUAGE INTO THE INDIAN HEALTH CARE IMPROVEMENT ACT TO PROVIDE FOR DIRECT AND CONTINUED FUNDING OF THE ALBUQUERQUE AREA INDIAN HEALTH SERVICE FOR THE THIRTY-THREE THOUSAND ALBUQUERQUE AREA URBAN INDIANS.

WHEREAS, catastrophic primary medical and dental care for the approximately thirty-three thousand American Indians representing over two hundred tribes residing in and around the city of Albuquerque is provided by the Indian health service and the Albuquerque service unit and its qualified health

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1 providers, which are funded annually by the United States
2 congress; and

3 WHEREAS, approximately forty percent of the thirty-three
4 thousand American Indians living in the Albuquerque area are
5 Navajo Indians who, in addition to receiving basic health care
6 from the Indian health service, were eligible for full contract
7 health care provided by the Albuquerque Indian hospital until
8 2002 when these services were severely curtailed due to limited
9 funds; and

10 WHEREAS, contracting of health care services by the
11 tribes, as directed by Public Law 93-638, has adversely
12 impacted the health care delivery system for the thirty-three
13 thousand Albuquerque area urban Indians by eliminating or
14 greatly reducing health care services now available to them
15 through the Indian health service Albuquerque service unit and
16 because all funds appropriated by the United States congress
17 through the Indian health service are being contracted or are
18 available for contracting to tribes or pueblos in the
19 Albuquerque service unit; and

20 WHEREAS, in October 2000, the southwest Indian polytechnic
21 institute (SIPI) dental clinic was to be closed for the reasons
22 cited above, but urban Indian representatives, with the support
23 of tribes from the surrounding area and New Mexico
24 congressional representatives, managed to keep it open; and

25 WHEREAS, the Albuquerque Indian hospital has reduced

1 health care services in the short term, and may be forced to
2 close in the long term if local tribes and pueblos under the
3 Indian health service Albuquerque service unit continue to
4 contract all available health care services from the
5 Albuquerque area Indian health service; and

6 WHEREAS, in 1997, the Indian health service users
7 statistics showed that of the eighty-five thousand eight
8 hundred fifty-four visits to the Indian health service
9 Albuquerque area facilities, urban Indians made seventy-two
10 thousand seven hundred twenty of those visits, justifying
11 funding at an estimated thirteen million four hundred thousand
12 dollars (\$13,400,000) of the recurring sixteen million six
13 hundred thousand dollars (\$16,600,000) received by the Indian
14 health service Albuquerque area hospital; and

15 WHEREAS, Albuquerque area urban Indian representatives
16 support the local tribes and pueblos in taking over the Indian
17 health service health care delivery system but, in return,
18 request the support of tribes and pueblos to keep the health
19 care funded by the Indian health service available to the
20 thirty-three thousand Albuquerque area urban Indians; and

21 WHEREAS, the Indian Health Care Improvement Act, now
22 before the United States congress for action, fails to provide
23 for continued health care services and federal funding through
24 the existing urban Albuquerque area Indian health service
25 facility for the Albuquerque area urban Indian users and is in

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1 conflict with and contrary to the intent of congress in the
2 federal Snyder Act of 1921; and

3 WHEREAS, although Public Law 93-638 requires the Indian
4 health service to consult with Indian communities on health
5 issues and while tribes and pueblos are represented on the
6 Indian health service Albuquerque service unit board, which is
7 organized for providing advice on funding and other health
8 policy issues, the board does not have a similar system to
9 receive public input on matters affecting the grassroots
10 Albuquerque area urban Indian community and has denied them
11 representation on the Indian health service Albuquerque service
12 unit board;

13 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
14 STATE OF NEW MEXICO that the United States congress, the United
15 States department of health and human services, the Indian
16 health service and, specifically, the New Mexico congressional
17 delegation be requested to resolve the funding dilemma at the
18 Albuquerque service unit of the Indian health service so that
19 the thirty-three thousand Albuquerque urban Indians, including
20 many Navajos, continue to receive adequate Indian health
21 service health care through the Albuquerque area Indian health
22 service and its qualified providers; and

23 BE IT FURTHER RESOLVED that the United States congress be
24 urged to direct the Indian health service to establish a formal
25 advisory group of grassroots Albuquerque area urban Indian

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1 representatives to work together with the Albuquerque area
2 Indian health service to address Indian health service
3 Albuquerque service unit funding and other Indian-related
4 issues; and

5 BE IT FURTHER RESOLVED that the United States congress be
6 requested to amend Public Law 94-437, Title V, Section 512 by
7 inserting the following language:

8 "Notwithstanding any other provisions of law, the
9 Albuquerque area Indian health service and its qualified
10 service providers, which now serve urban American Indians
11 residing in the Albuquerque area, shall continue to serve urban
12 Indians and be further designated, in addition to continuing to
13 service tribes, as a service or operating unit in the
14 allocation of additional resources and coordination of care for
15 the Albuquerque area urban Indian population and, as such,
16 those resources specifically appropriated by the United States
17 congress and health care reserved for the urban Indian user
18 population shall not be subject to the provisions of the Indian
19 Self-Determination and Education Assistance Act and, further,
20 such designated urban service unit shall establish, with input
21 by the Albuquerque area grassroots urban Indian community, an
22 urban Indian advisory group to further the consultation
23 provisions of this Act."; and

24 BE IT FURTHER RESOLVED that copies of this memorial be
25 transmitted to the New Mexico congressional delegation, the

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1 area director for the Albuquerque health service, the director
2 of the Indian health service in Washington, D.C., and the
3 secretary of health and human services.

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